



City of Annapolis

Department of Planning & Zoning

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Historic Preservation Commission

January 14, 2014

The Historic Preservation Commission (HPC) of the City of Annapolis held a **special** meeting on January 14, 2014 in the City Council Chambers. **Chair** Kennedy called the meeting to order at 6:30pm.

Commissioners Present: **Chair** Kennedy, **Vice Chair** Leahy, Finch, Phillips, Kabriel, Toews

Commissioners Absent: Zeno

Staff Present: Craig-Historic Preservation Officer

Chair Kennedy introduced the commissioners and staff. She stated the Commission's purpose pursuant to the authority of the Land Use Article and administered the oath en mass to all persons intending to testify at the hearing.

C. NEW BUSINESS

1. 15 College Avenue – Will Adrian – Demolition of exterior masonry walls (rear).

Chair Kennedy detailed the order of presentation and read into the record a letter from Assistant City Attorney, Gary Elson that clarifies that the HPC should not engage in any consideration of demolition by neglect. He further clarifies that the only findings that the HPC should make relates to whether the demolition is necessary because of an existing dangerous condition that constitutes an emergency hazard to public safety or whether a demolition if granted would allow for removal of an inappropriate addition and that such demolition would have no adverse impact on streetscape and/or the overall integrity of the zoning district in which the property to be demolished lies. She reiterated that this is not a hearing for demolition by neglect but demolition due to public safety or removal of an inappropriate addition.

Mr. Will Adrian explained that the concern is a structural one relating to the rear walls on the property at 15 College Avenue. He noted that an engineer's report indicates that the brick rear south wall of the main house have deteriorated but the mortar joints are intact so the bricks could be repointed. He noted, however, that the bricks of the addition have deteriorated significantly and do not have the capacity to withstand the lateral forces to comply with 2012 Building Code requirements.

Mr. John Menassa of DNEP became aware of the structure during a site visit and noticed that there was some exterior work that had been completed and that portions of the exterior had collapsed either prior to or as part of the demolition work. Those pieces were removed including the rear roof and some portion of exterior walls. He looked at the interior demolition work that was completed and determined that there were some safety concerns with the internal south wall. This two story south masonry wall did not have anything that could prevent it from collapsing inward so as a result he issued a stop work and suggested that a shoring plan be developed to stabilize the wall. Based on the recommendation, the owner had an engineer develop a detailed shoring plan. DNEP agrees with the engineer's assessment and believes that the plan is adequate to prevent safety concerns. **Chair** Kennedy asked DNEP staff if it is their independent and professional belief that a public safety hazard exists on the property at this time and Mr. Menassa responded yes. Ms. Craig deferred to Mr. Menassa's comments.

Mr. Adrian commented on the condition of the demolition of the brick main rear wall explaining that the rear seems to be the original exterior wall of the structure and it is believed that the south wall is in the most unstable condition. The reason the rear wall is unstable is because it has a joist hole cut in it and

is exposed to the same water penetration that has been entering the structure. The wall overall does not seem structurally stable as indicated by the engineer's report and appears to be modified.

Staff: Ms. Craig restated her written report and recommended approval conditioned that the applicant salvage as much of the brick as possible and document the reuse of the bricks in the rear wall.

Public: Public testimony opened at 7:18pm and those speaking are listed below.

Name	Address	In Favor	In Opposition
Juliet Thompson	9 College Avenue		

No one else from the public spoke in favor or opposition to the application so **Chair** Kennedy declared the public testimony closed at 7:26pm.

Commissioners: Ms. Phillips agrees with the engineer's assessment of the wall in that the bricks are not salvageable and a majority of the commissioners concurred.

Chair Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
A	HPC Administrative Approval Application time date stamped 1/10/14, 3:26pm
B	Asst. City Attorney Gary Elson letter dated 1/14/14
C	Staff Memorandum dated 1/14/14
D	Large Square Shoring Plan dated 1/6/14
E	John Tung (Structura) Email dated 1/14/14
F	Dowling Email dated 1/14/14
G	Photograph of the Structure

Vice Chair Leahy noted that whereas the application for 15 College Avenue complies with guidelines D.2, D.3, and D.5, moved conditional approval subject to the applicant salvaging any useable bricks, window and door materials as well as document the reuse. Also, that the applicant submits photographs and documentation of the current conditions prior to demolition. Mr. Kabriel seconded the motion. The motion passed unanimously in a vote of 6-0.

Chair Kennedy adjourned the special meeting at 7:36pm.

The Historic Preservation Commission (HPC) of the City of Annapolis held its **regularly** scheduled meeting on January 14, 2014 in the City Council Chambers. **Chair** Kennedy called the meeting to order at 7:39pm.

Commissioners Present: **Chair** Kennedy, **Vice Chair** Leahy, Finch, Phillips, Kabriel, Toews

Commissioners Absent: Zeno

Staff Present: Craig-Historic Preservation Officer

Chair Kennedy introduced the commissioners and staff. She stated the Commission's purpose pursuant to the Authority of Article 66B, Section 8.01-8.17 of the Annotated Code of Maryland and administered the oath en masse to all persons intending to testify at the hearing.

Chair Kennedy revised the agenda to move items C, D, and E toward the end of the agenda.

F. CONSENT DOCKET

1. 32 Franklin Street – Alison Halsey – Construct chicken coop. **Approved as amended.**

Vice Chair Leahy moved to approve the application for 32 Franklin Street on the consent document. Ms. Phillips seconded the motion. The motion passed unanimously in a vote of 6-0.

G. NEW BUSINESS

2. 150 South Street – Carl J. Tenner – Retention of non-historic windows.

Commissioners were reminded that this is an after the fact approval and that the existing condition should not be considered during deliberations.

Mr. Tenner apologized as he should have known that this property was in the historic district. He described the surrounding properties and noted that he purchased the building 30 years ago. He explained that most of the metal windows would not open so were replaced with vinyl clad in 2010. He noted that staff recommended retention of the windows of rear, south and a portion of the north. He believes that 37 windows would have to be replaced under staff's recommendation. He requested that the HPC allow the property to retain all of its new windows inclusive of the front façade as they will not seriously impair the architectural significance of the surrounding landmarks, sites or structures. He estimated that there are approximately a total of 60 windows in the structure.

Staff: Ms. Craig restated her written report and recommends conditional approval subject to the windows on the front façade facing the public way and the windows on the side elevation visible to the public way should either be replaced with metal or wood and a product specification for the replacement windows be provided to staff for review.

Public: The public testimony opened at 8:00pm and no one from the public spoke in favor or opposition to the application so **Chair** Kennedy declared the public testimony closed at 8:00pm.

Commissioners: HPC agrees that this is a noncontributing structure and should be subject to a lenient review. Ms. Phillips noted that on the front façade, the applicant should use metal, hopper or casement windows. **Vice Chair** Leahy would consider either metal or wooden replacement windows on the front façade. Mr. Toews expressed concern that window proposal could lead to inconsistency. Upon a straw vote, the vote was recorded at 3-3 that indicates the application would be denied so the applicant requested to discuss the matter further with staff. The HPC recessed to allow the applicant time to discuss the matter with staff. **Chair** Kennedy reconvened the meeting at 8:34pm. The applicant decided to proceed with the application as submitted.

The following Commissioners made a site visit on this application.

Name
Leahy

Chair Kennedy accepted the following exhibits into the record.

Exhibit Number	Exhibit Types
A	HPC application time date stamped 12/5/13, 1:40pm
B	Staff memorandum dated 1/2/14
C	Tenner letter dated 12/31/13

Vice Chair Leahy moved conditional approval of the application for 150 South Street subject to the front façade including the entrance be replaced with metal or wood and product specification is provided for review. The remaining windows can be approved as submitted. Ms. Phillips seconded the motion. The motion failed in a vote of 3-3. (Kennedy, Toews and Finch dissents). Ms. Phillips agreed to prepare the findings of fact for the affirmative and Mr. Toews will prepare the findings of fact for the dissent.

I. PRE APPLICATION

Chair Kennedy reminded those present that this is an informal discussion and held as a courtesy to the applicants to determine feasibility as well as to address any other issues of concern that may arise at the hearing. This review does not constitute an approval and nothing discussed in this session will be binding on the commissioners or applicants.

1. **1 Compromise Street** – Richard Schneider – Siding replacement.

Ms. Craig indicated that this is an application for replacement siding.

Ms. Carol Maza noted that the existing cedar siding is deteriorated and is in need of replacement. She has located a substitute siding material known as smart engineered wood siding that will not deteriorate. Mr. Schneider provided iPad photographs of the structure for review and described the proposed materials.

Chair Kennedy summarized the discussion regarding replacement of siding on a 1981 noncontributing structure in the historic district. She noted that the conversation will revolve around how the project will comply with guideline D.26c. Majority of the commissioners present will be asking about the microclimate that the property is located within. There will be questions whether a properly treated traditional fabric will perform as well as the substitute material.

C. **APPROVAL OF MINUTES**

Vice Chair Leahy moved approval of the September 10, 2013 as amended, October 24, 2013 as written and November 12, 2013 as amended. Mr. Toews seconded the motion. The motion passed unanimously in a vote of 6-0.

D. **ANNOUNCEMENTS**

Ms. Craig announced that Dr. Sally Nash is now the Acting Director of Planning and Zoning and Ms. Cynthia Gudenius is the Assistant Acting Director.

E. **VIOLATIONS**

Ms. Craig believes that the owner of Upton Scott house will be submitting an application to repair his chimney.

H. **ADMINISTRATIVE BUSINESS**

Revised Rules of Procedures

The HPC reviewed and discussed possible changes to the Rules of Procedures. **Chair Kennedy** noted that the next steps would be for the revised document to be reviewed by Mr. Elson in order to be placed on the February public hearing agenda with the final document be approved at the administrative hearing. The next steps would be for the revised document to go to Mr. Elson for review.

J. **ADJOURNMENT**

With there being no further business, Mr. Toews moved to adjourn the meeting at 9:30pm. Mr. Kabriel seconded the motion. The motion passed unanimously in a vote of 6-0.

The next meeting is scheduled for January 26, 2014 at 7:30pm at the City Council Chambers.

Tami Hook, Recorder